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17 Attorneys for Defendants THE BOARD
18 OF TRUSTEES OF THE CALIFORNIA
19 STATE UNIVERSITY (incorrectly sued
20 as "CALIFORNIA STATE UNIVERSITY
21 FULLERTON") and DAVID FORGUES

22

23 **UNITED STATES DISTRICT COURT**
24 **CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**

25 KATIE CAPPUCIO,

26 Plaintiff,

27 v.

28 CALIFORNIA STATE UNIVERSITY,
29 FULLERTON, and DAVID
30 FORGUES, in his individual capacity
31 and office capacity as Vice President of
32 Human Resources,

33 Defendants.

34 Case No. 8:23-cv-02026-FWS-DFM

35 **JOINT STATEMENT OF THE**
36 **CASE**

37 Judge: Hon. Fred W. Slaughter
38 Crtrm.: Santa Ana, 10D
39 Magistrate: Douglas F. McCormick
40 Crtrm.: Santa Ana, 6B

41 Crtrm.: July 17, 2025
42 Time: 8:30 a.m.
43 Crtrm.: 10D

44 Trial: August 19, 2025

1 Plaintiff KATIE CAPPUCCIO (“Ms. Cappuccio” or “Plaintiff”) and Defendant
2 THE BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY
3 (incorrectly sued as “CALIFORNIA STATE UNIVERSITY FULLERTON”) (“CSU”
4 or “Defendant”) hereby submit the following Joint Statement of the Case:

5 The Plaintiff Katie Cappuccio was employed by CSU as a Police Officer
6 assigned to the CSU Fullerton Police Department. In June 2021 CSU implemented a
7 Covid-19 Testing Policy that required all unvaccinated employees to be tested for
8 Covid-19 weekly beginning in August 2021. Ms. Cappuccio asserts that she could not
9 conduct be tested for Covid-19 because her religion prevented her from taking
10 medical tests, including Covid-19 tests, unless she was sick. Ms. Cappuccio asserts
11 that CSU failed to accommodate her religion by refusing to offer religious
12 exemptions, discuss possible accommodations, or grant her a religious exemption or
13 accommodation to its Testing Policy. Ms. Cappuccio also asserts that CSU could have
14 accommodated her religious beliefs without incurring substantial costs to its
15 operations.

16 CSU denies Ms. Cappuccio’s accommodation claims. CSU asserts that a Public
17 Health Order was in effect that required certain unvaccinated employees, like
18 Ms. Cappuccio, to test weekly for Covid-19. CSU asserts that it was not required to
19 grant Ms. Cappuccio an accommodation from Covid-19 testing that would have
20 violated the Public Health Order. CSU also asserts that Ms. Cappuccio’s alleged
21 religious beliefs are not sincere, and that Ms. Cappuccio did not timely tell CSU about
22 any religious issue she had with testing. CSU alleges that it terminated
23 Ms. Cappuccio’s employment when she refused to comply with the Public Health
24 Order and ignored communications with her superior officer about it.

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1 Dated: June 26, 2025

FACTS LAW TRUTH JUSTICE, A.P.C.

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By: /s/ Nicole C. Pearson
NICOLE C. PEARSON
Attorneys for Plaintiff Katie Cappuccio

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1 Dated: June 26, 2025

FACTS LAW TRUTH JUSTICE, A.P.C.

2 Dated: June 26, 2025

QUARLES & BRADY LLP

3 By: /s/ Heather C. Davis

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SIGNATURE CERTIFICATION

2 Pursuant to L.R. 5-4.3.4(a)(2)(i), I hereby certify that the content of this
3 document is acceptable to Nicole Pearson, counsel for Plaintiff Katie Cappuccio,
4 and that my office has obtained Ms. Pearson's authorization to affix her electronic
5 signature to this document.

7 | Dated: June 26, 2025

QUARLES & BRADY LLP

By: /s/ Heather C. Davis
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HEATHER C. DAVIS
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